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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 ERNEST SUNRHODES,

10 Petitioner,

2:14-cv-01368-GMN-VCF

11 vs.

**ORDER**

12 ATTORNEY GENERAL, *et al.*,

13 Respondents.  
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16 This habeas corpus action, brought by Nevada prisoner Ernest Sunrhodes, is on appeal before  
17 the Ninth Circuit Court of Appeals. On April 15, 2016, the court of appeals ordered counsel  
18 appointed to represent Sunrhodes, and directed this court to locate appointed counsel. *See* Order  
19 filed April 15, 2016 (ECF No. 40).

20 On April 20, 2016, this court appointed Gia McGillivray to represent Sunrhodes. *See* Order  
21 entered April 20, 2016 (ECF No. 41). Then, on April 29, 2016, the Federal Public Defender for  
22 the District of Nevada (FPD) appeared on behalf of Sunrhodes. *See* Notice of Appearance (ECF  
23 No. 42).

24 On June 13, 2016, McGillivray filed a Motion to Withdraw (ECF No. 43), stating that her  
25 appointment, together with the appearance of the FPD to represent Sunrhodes, was the result of some  
26 confusion. It appears, from the information provided in the motion to withdraw, that the FPD is

1 willing and able to represent Sunrhodes on appeal, and that the FPD and McGillivray are in  
2 agreement that McGillivray should therefore withdraw.

3 **IT IS THEREFORE ORDERED** that Gia McGillivray's Motion to Withdraw as Counsel  
4 of Record (ECF No. 43) is **GRANTED**. Gia McGillivray is discharged from her representation of  
5 petitioner Ernest Sunrhodes in this action.

6 **IT IS FURTHER ORDERED** that the Federal Public Defender for the District of Nevada is  
7 appointed to represent Ernest Sunrhodes in this action.

8 **IT IS FURTHER ORDERED** that the Clerk of the Court shall serve copies of this order on  
9 petitioner Ernest Sunrhodes, on Gia McGillivray, and on the Federal Public Defender for the District  
10 of Nevada.

11 **IT IS FURTHER ORDERED** that the Clerk of the Court shall notify the Ninth Circuit  
12 Court of Appeals of this order by sending a copy of the order to:  
13 counselappointments@ca9.uscourts.gov.

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15 Dated this 13 day of June, 2016.

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19 UNITED STATES DISTRICT JUDGE  
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